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Dated: August 25, 2009

Signature: /David A. Gass #38,153/  
(David A. Gass)

Docket No.: 28079/41333  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kenneth A. Barton et al.

Application No.: 07/827,906

Confirmation No.: 3375

Filed: January 30, 1992

Art Unit: 1638

For: IMPROVED EXPRESSION OF GENES IN  
PLANTS

Examiner: A. R. Kubelik

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment is timely filed in response to an Office Action dated February 25, 2009, together with a petition and fee for three-month extension of time.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

Accompanying this amendment is a Rule 132 declaration and a supplemental information disclosure statement.